

Help America Vote Act of 2002 Timeline

Dates Determined by Enactment of the Act

Within 45 days of enactment

- Programs established to make payments for improvement of election administration and disburse funds to replace punch card equipment.

Within 90 days of enactment

- Names of the State Election Official and Local Election Official to serve on the Standards Board are transmitted to the Federal Elections Commission.

Within 6 months of enactment

- States must submit notice to receive punch card replacement funding.
- Payments shall be made to states to assure access for disabled voters.

Specific Dates

January 1, 2003

- Voters who register to vote for the first time in a state by mail must provide some form of identification.

October 1, 2003

- The Election Assistance Commission shall adopt voluntary guidelines to assist jurisdictions with provisional balloting, the development of a statewide voter registration system, and mail in registration standards.

Before the 2004 General Election

- Punch card equipment must be replaced if the state accepts replacement grant money.
- Voter registration forms must provide check boxes for citizenship and age verification.

January 1, 2004

- Deadline to apply for a waiver to replace punch card equipment before 2004 election.
- States must provide for provisional voting.
- States must post specified information at polling locations.
- Votes cast after the polls have closed because of a court order must be cast on provisional ballots.
- Statewide voter registration system implemented
- Deadline to apply for a waiver to implement a statewide voter registration system by January 1, 2004.

- The Election Assistance Commission shall adopt voluntary guideline to assist jurisdictions with the voting system standards.

January 1, 2006

- Deadline to replace punch card equipment if a waiver was granted.
- Voting system standards in Title III must be met.
- Deadline to implement a statewide voter registration data base if a waiver was granted.

Within 6 months of the end of each fiscal year

- States must report on activities conducted using requirements payments and grants to assure access for disabled voters.

Dates Determined by External Actions

Within 6 months of appointment of all the member of the Election Assistance Commission

- Requirements payments to state must be made.

45 days after the publication of State Plan in the Federal Register

- The state's Chief Executive Officer can certify compliance in order to receive certain grants.

30 days prior to submission of state plan to the Election Assistance Commission

- Preliminary version of the plan must be available for public inspection.

Timeline by Each Title

Title I. Payments to States for Election Administration Improvements and Replacement of Punch Card Equipment

- Within 45 days of the enactment of the act, the Administrator of General Services shall establish programs to make payments to states to improve the administration of elections (sec. 101 a) and for the replacement of punch card voting equipment (sec. 102 a 1).
- If a state takes money to replace punch card voting equipment it must be replaced before the 2004 General Election (sec. 102 a 3 A). States may apply for a waiver and have until January 1, 2006 to replace the equipment if it certifies by January 1, 2004 that it will not meet the earlier deadline for good cause (sec. 102 a 3 B).

- To receive punch card replacement funding a state must submit notice to the Administrator of General Services 6 months after the date of the enactment of the act (sec 102 b 1).
- The Administrator of General Services must establish programs to disburse payments to states to improve the administration of elections and the replacement of punch card voting equipment 45 days after enactment of the act (sec 106).

Title II. The Election Assistance Commission

- Within 90 days after the date of the enactment of this act the state's chief election official shall transmit to the chair of the Federal Elections Commission the name of the state election official and local election official to serve on the Election Assistance Commission Standards Board (sec. 213 b 1).
- Within 6 months of the appointment of all the members of the Elections Assistance Commission the Commission shall make requirements payments to states (sec. 251 e).
- In order to receive requirements payments under this title the Chief Executive Officer of the state must certify that the state is in compliance with various requirements under this title (sec 253 a). This certification may not be filed until 45 days after the publication of the state plan in the Federal Register by the Election Assistance Commission (sec. 253 d).
- Public notice requirements for adoption of state plan: A preliminary version of the plan must be made available for public inspection and comment 30 days prior to submission of the plan to the Election Assistance Commission (sec. 256 1).
- Within 6 months of the end of each fiscal year a state that received requirements payments shall report to the Election Assistance Commission on the activities conducted with the funds (sec. 258).
- Within 6 months after enactment of this act, the Secretary of Health and Human Services shall make payments to states and eligible units of local government to assure access for disabled voters (sec. 261 c).
- The time-line and manner for application of funds to improve access for disabled voters is determined by the Secretary of Health and Human Services (sec. 263 a).
- Within 6 months of the end of each fiscal year, a state that received funds to improve access for disabled voters shall report to the Secretary of Health and Human Services the activities conducted with the funds (sec. 265).
- This title also establishes grant program for research on voting technology improvements (part 3) and pilot programs for testing of equipment and

technology (part 4). The timelines and form for applying for these grants are determined by the Election Assistance Commission (sec 271 b) & (sec. 281 b).

Title III. Uniform and Non-discriminatory Election Technology and Administration Requirements

- Each state and jurisdiction must meet the following voting system standards on or after January 1, 2006 (sec 301 d):
 - The voting system must allow for second chance voting. This requirement may be met by establishing a voter education program that notifies the voter of the effect of casting multiple votes for an office, and that provides the voter instruction on how to correct the ballot before it is cast and counted (sec 301 a 1);
 - The voting system must produce a record for a manual audit capacity (sec 301 a 2);
 - The voting system must be accessible for individuals with disabilities, this requirement can be met by placing one Direct Recording Electronic machine with audio capability in each polling location (sec 301 a 3);
 - The voting system must provide alternative language accessibility as required by sec. 203 of the Voting Rights Act. (sec 301 a 4);
 - The voting system must comply with the error rate standards of the voting system standards established by the Federal Election Commission. (sec 301 a 5);
 - The state must adopt uniform standards for what constitutes a vote. (sec 301 a 6).
- By January 1, 2004 states must provide for provisional voting and develop a free access system for individuals who cast a provisional ballot so that they can learn if their ballot was counted by January 1, 2004. At the time the individual cast the provisional ballot, they must be provided information in writing on how to learn if their ballot was counted (sec. 302).
- By January 1, 2004, states must post the following information at each polling location on election day (sec 302 b):
 - Sample Ballot;
 - The date of the election and the hours the polls are open;
 - Instructions on how to vote, including provisional ballots;
 - Instructions for mail-in registrants and first time voters;
 - General Information on voting rights under various state and federal laws;
 - Information on voting fraud and misrepresentation.
- After January 1, 2004, any voter who votes after the polls have closed as the result of a federal or state court order may only vote a provisional ballot and those ballots must be separated from all other provisional ballots (sec 302 c).

- States must implement the following standards by January 1, 2004 (sec 303 d 1 A). States may apply for a waiver and have until January 1, 2006 to meet the requirements if they certify by January 1, 2004 that they will not meet the earlier deadline for good cause (sec 303 d 1 B):
 - A “single, uniform, official, centralized, interactive computerized statewide voter registration” database (sec. 303 a 1 A);
 - A voter registration applicant must provide a drivers license number or the last four digits of their social security number (sec 303 a 5 A i).
- If a state does not comply with the statewide voter registration system standards, an individual who registers to vote by mail on or after January 1, 2003 is required to provide one of the following: a copy of their current photo identification, or a number of other pieces of identification, such as a utility bill, a driver’s license number, or the last four digits of their social security. If the voter provides a drivers license number or the last four digits of the social security number the numbers must match the records in the existing database. If the voter can not provide an item or piece of information the voter may cast a provisional ballot (sec. 303).
- Mail-in voter registration forms must include questions requiring voters to verify that they are U.S. Citizens and old enough to vote by January 1, 2004. Voters must be notified if they fail to answer these questions and be provided the opportunity to complete the form prior to the next election (sec 303 b 4).
- The Election Assistance Commission shall adopt voluntary guidelines to assist jurisdictions in meeting the requirements of the voting system standards by January 1, 2004; provisional balloting by October 1, 2003; and statewide voter registration and mail in registration standards by October 1, 2003 (sec 311).

Title IV. Enforcement

- No deadline is given for establishing the state-based administrative complaint procedures to remedy grievances with the standards in Title III of this act. It is merely required of states that receive funds under this act (sec 402).

Title IV. Voting Rights of Military Members and Overseas Citizens

- No deadline is given when each state must designate a single office to provide information on voter registration and absentee ballots for uniformed and overseas voters (sec 702).
- States and local jurisdictions, through the state, must report the number of absentee ballots transmitted and received from military and overseas voters 90 days after each federal election (sec. 703).